

EJ Task Force Meeting 2-15-17 Summary

Around 35 participants attended. Around a dozen were agency representatives. Lily, Jackie, and Angeles represented EPA. The Tetra Tech agenda item lasted 50 minutes. Followup questions after the formal meeting adjourned lasted about 20 minutes. The tone was respectful and professional. Regan Patterson, the usual facilitator, moderated. At the sign-in table, Greenaction had copies of the following: News articles from NBC & SF Chronicle, EPA letters to the Navy 9/13/16 and 12/14/16, Jackie's summary of the 12/20/16 Greenaction meeting with EPA, DTSC, and CalEPA management. Four UC Santa Cruz students brought a large video camera and recorded the meeting. Lily gave a brief update that tracked closely to the attached response EPA gave to the San Francisco Chronicle reporter 2-7-2017. Below is a summary paraphrasing the discussion:

Q1. Marie Harrison: Is the new sampling in areas where Tetra Tech EC had already sampled or is it just to complete the cleanup?

A1: Lily: New sampling by the independent contractor will go back to areas that Tetra Tech EC has already done work.

Q2: Marie Harrison: What scanning or sampling ~~EPA~~ has EPA already done for rad?

Q2: Lily: I will email you reports from scans by EPA Health Physicist Steve Dean.

Q3: Bradley Angel: Given the prior falsification that already occurred in spite of oversight from the Navy and EPA, I do not trust the new evaluation and sampling. We need a technical advisor that the community chooses to do oversight over the new sampling.

A3: Lily: We already shared at earlier meetings that EPA no longer has funding for technical advisors at Federal Facility sites nationwide. The Navy has hired an independent Technical Advisor Prof. Kathryn Higley from Oregon State University. EPA Health Physicists told me she is well-respected for her technical knowledge. Please call her at 541-737-7063.

Q4: Bradley: Taxpayers should not be paying; you should make Tetra Tech pay.

A4: Lily: The Superfund office does not do enforcement. Our role is to make sure the cleanup meets the regulatory requirements and protects public health and the environment. EPA and other agencies have separate enforcement offices. Much of their work is enforcement confidential and would be inappropriate to share publicly. I can neither confirm nor deny whether or not EPA has a criminal investigation. If you have questions related to enforcement, call Jay Green, the head of EPA's Criminal Enforcement Division at 415-524-6026.

Q5: Steve Selitzer (spelling?): You cannot possibly clean this up to a level that is safe for people to live. There's a criminal conspiracy. Michael Madry from TestAmerica was a whistleblower who went to the EPA, the DA, and the US Attorney, and no one has done anything. They will get rid of EPA. The Navy said it is not using Tetra Tech, but Tetra Tech is still doing work in the Bay Area, e.g., Treasure Island Annex. We need to organize a community meeting to demand criminal prosecution.

A5: Lily: [Since this was a statement and not a question, Lily did not respond]

Q6: Name unknown: I live near a landfill in Brisbane. I'm concerned that contaminated waste from the Shipyard ~~wat~~ is dumped in this or other landfills. Someone should test the waste in ~~the~~ landfills. When you cover landfills waste that is buried ~~it~~ may still expose people if earthquakes or sea level rise ~~or liquidfaction~~ disturbs the cover. Do you have manifests that show where the waste went?

A6: Lily: I haven't seen the latest list of landfills where the Navy sends waste, but I don't remember seeing any locations in Brisbane in previous lists. For more information about the waste disposal locations contact Derek Robinson in the Navy at 619-524-6026. Another layer of protection for waste leaving the site is that a contractor different from Tetra Tech EC operates a portal monitor for radiation. It sounds an alarm if levels are too high. Then the truck is scanned by hand. In addition, the receiving landfill also has a portal monitor.

Q7: Name unknown: I have court documents from whistleblowers that show that the portal monitor was turned off for a long time and the trigger levels for the alarm were changed to be too high according to a regulator.

A7: Lily: I'd like see those records and share them with Jay Green.

Q8: Dr. Ray Tompkins: The Navy dug a big hole and put irradiated animals into it that exposed black workers. A black worker was dying from a rare tumor that is associated with Pu-239 exposure. I want rad scans at Mariners Village where homes were built on top of foundations of from former administrative officer residents that was part of the Shipyards. I want an epidemiological study. This area has the highest breast cancer rates in the world. After the landfill fire, the Navy did not take air samples until 16 days later, after the fire was put out. This report I have does show exceedances of some chemicals. It does not show thermal conditions or rad data. Plumes from the landfill fire were 3 different colors. Dr. Rajiv Bhatia from the City falsified data in his reports and only measured pulmonary cases in that timeframe. I think the shipyard landfill is 20% radioactive. Did that radiation escape in the fire? I don't trust any of the data from the past.

A8: Lily: The Navy will be sampling in areas that Tetra Tech has done work before. I and other staff from the EPA or the DTSC or CDPH will be observing during the sampling. CDPH has agreed to take some of the samples to their own independent lab for analysis.

The formal meeting adjourned, but I received more questions afterwards.

Q9: Devyn Gortner, UC Santa Cruz: I looked at the rad cleanup standards for soil and buildings. Why are you relying on a 1991 version of the PRG Calculator?

A9: Lily: After each survey unit is cleaned, EPA receives a cleanup report. EPA uses the current version of the PRG calculator at the time that we receive each cleanup report to see if the risk falls within the risk range of the National Contingency Plan, which is the regulation that

implements the Superfund law. We do not approve any cleanup unless we have confirmed that it meets this standard using the current version of the PRG calculator.

Q10: Devyn Gortner: The cleanup standards in the ROD state that they allow up to 25 mrem. Doesn't the EPA require 12 mrem?

A10: Lily: The Navy has to meet the requirements of many different agencies. So the documentation of the standards has language in it that shows what other agencies may require. EPA does its own independent check of the data using the current version of our own EPA PRG Calculator to make sure the cleanup meets EPA requirements.

Q11: Devyn Gortner: I checked the Building PRG Calculator and the risks are bigger than the NCP risk range.

A11: Lily: Which building were you looking at?

Q12: Devyn Gortner: I looked at so many different buildings. I have been searching for the files in the Information Repository. All of that information is not there. I shouldn't have to go to the Navy to file a FOIA request to get documents. Why ~~isn't~~ aren't all the files at the local repositories? Isn't it EPA's job to make sure all the documents are here?

A12: Lily, Angeles, Jackie: The Navy is the lead agency for the cleanup, so the Navy has the responsibility to keep the full Administrative Record. And does so at in San Diego, CA. We will let the Navy know about your concerns. It is not practical to keep the Full Administrative Record in local locations due to the large volume of information. That is why you need to work with the Navy to get the documents you request through their process.

**San Francisco Chronicle questions received 2/3/2017 from reporter JK Dineen
USEPA responses sent 2/7/2017**

What is the latest on the probes into Tetra Tech testing?

The Navy is the lead agency responsible for the investigation and cleanup of the Hunters Point Naval Shipyard (HPNS). EPA and its state regulatory agency partners oversee and enforce Navy compliance with the Comprehensive Environmental Response Compensation and Liability Act (commonly called the Superfund law) and other requirements to ensure the cleanup at HPNS protects human health and the environment.

EPA is taking the allegations regarding Tetra Tech EC very seriously. We are waiting for the Navy's data evaluation and sampling effort, which is being conducted by a Navy independent third party contractor (not Tetra Tech EC) under EPA oversight. We expect the sampling results will confirm that the multiple layers of oversight that are in place have prevented and will continue to prevent current residents and workers from being exposed to contamination above health based standards. This effort will also evaluate the potential for exposure to future residents and workers. We are waiting for the results to determine whether or not more cleanup action will be necessary before redevelopment of additional property proceeds.

Independent radiological monitoring of dust, groundwater, ground surfaces, and fence lines have shown no exceedances of health-based standards, and independent third party contractors routinely conduct in-person observations of current radiological cleanup work. Additionally, EPA and the Navy have agreed that the Navy will not propose any further transfers of property at HPNS without clarifying—through investigation results and/or other actions—the actual potential public exposure to radioactive material at and near HPNS.

For questions about actions by the Nuclear Regulatory Commission, please contact Diane Screnci at 610-337-5330. If any enforcement-related investigations are ongoing in other parts of the federal government, those matters may be enforcement confidential.

What is happening with the \$7M that Pelosi helped to get for review of Tetra Tech's work?

The Navy is the lead agency responsible for the investigation and cleanup of the Shipyard. For questions about funds provided to the Navy, please contact William Franklin (619) 524-5433.

What is the latest on the site's cleanup?

The Navy is the lead agency responsible for the investigation and cleanup of the Shipyard. For a status update on the site's cleanup, please contact William Franklin (619) 524-5433.